

REMARKS

Claims 1, 3 through 9 and 11 through 19 are currently pending in the application.

Claims 2, 10, and 20 have been canceled in this amendment.

This amendment is in response to the final Office Action of February 12, 2004.

Claim Objections

Claim 15 is objected to due to informalities in the claim language. Appropriate correction has been made.

35 U.S.C. § 112 Claim Rejections

Claims 9 through 16 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Applicants have amended the claimed invention as suggested by the Examiner for the presently claimed invention to particularly point out and distinctly claim the subject matter of the invention to comply with the provisions of 35 U.S.C. § 112. Therefore, presently amended claims 9 through 16 are allowable under the provisions of 35 U.S.C. § 112.

35 U.S.C. § 102(b) Anticipation Rejections

Anticipation Rejection Based on Sehr (U.S. Patent 6,085,976)

Claims 1, 2, 6 through 10, and 13 through 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Sehr (U.S. Patent 6,085,976).

Applicants assert that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

After carefully considering the cited prior art, the rejections, and the Examiner's comments, Applicants have amended the claimed invention to clearly distinguish over the cited prior art.

Turning to the cited prior art Sehr reference, described is a passenger card 11 that includes “smart cards” that have a shape similar to plastic cards, but with at least one silicon chip/integrated circuit embedded into the card package. Such cards can further include PC (Personal Computer) card formats, handheld terminals or any pocket-sized computer configurations. The embedded circuits give the cards database storage means, processing and communications capabilities, or display means. The data stored in the smart card includes the equivalent of an electronic ticket for a particular itinerary, use rights for a specific transportation carrier, considerations for travel-related services, electronic money for payment, or security information for protecting the card content and identifying the rightful card holder.

Applicants assert that the presently claimed inventions of presently amended independent claims 1, 9, and 17 are not anticipated by the Sehr reference under 35 U.S.C. § 102 because the Sehr reference does not identically describe, either expressly or inherently, each and every element of the presently claimed inventions of presently amended independent claims 1, 9, and 17 in as complete detail as is contained in such claims.

Applicants assert that the Sehr reference fails to identically describe each and every element of presently amended independent claims 1, 9, and 17 of the presently claimed inventions calling for “receiving a data card comprising a low cost disposable material consisting of one of a paper sheet and a piece of card stock by a user by the printing of said data card at a first location using a first printer of said plurality of printers in a business system for facilitating the billing for printer consumables for use of said printer by a user of said printer, said data card including printed indicia descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said printed indicia comprising access credentials for access to said data”, “reading said printed indicia to use said user information and data information to verify said access credentials at any desired printer at any desired location of a printer of said plurality of printers in said printing system in a business environment”, “providing access to said data to said recipient in response to said access credentials that have been verified”, “printing said data using any desired printer of said plurality of printers in said printing

system in a business environment at any second location in said network different than said first location in said network”, “collecting statistical data of the location of the printer of said plurality of printers in said printing system used for printing said data”, “providing a printed card comprising a low cost disposable material consisting of one of a paper sheet and a piece of card stock”, “reading indicia from the printed card descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said indicia comprising access credentials for access to said data”, “verifying said access credentials based on said indicia”, “providing access to data in response to said verification of said access credentials for access to said data”, “printing of said data at any printer located at a second location in said network different than said first location of said processor”, “collecting statistical data of the location of a printer of said plurality of printers in said printing system used for printing said data”, “receive a data card comprising a low cost disposable material consisting of one of a paper sheet and a piece of card stock, said data card including printed indicia descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said indicia comprising access credentials for access to said data”, “read said indicia to access said user information and data information for verifying said access credentials”, “provide access to said data on the basis of said verifying said access credentials”, “printing of said data at any printer located at a second location in said network different than said first location of said computer”, and “collecting statistical data of the location of the printer in said printing system used for printing said data.”

Applicants assert that, at best, the Sehr reference describes “smart cards” that have a shape similar to plastic cards, but also have at least one silicon chip/integrated circuit embedded into the card package. Such cards can further include PC (Personal Computer) card formats, handheld terminals or any pocket-sized computer configurations. The embedded circuits give the cards database storage means, processing and communications

capabilities, or display means. Applicants presently claimed inventions have claimed elements of the inventions calling for “comprising a low cost disposable material consisting of one of a paper sheet and a piece of card stock by a user by the printing of said data card” Applicants presently claimed inventions do not and cannot include “at least one silicon chip/integrated circuit embedded into the card package.” Conversely, the Sehr reference only describes a card having at least one silicon chip/embedded integrated circuit of any type. Therefore, the Sehr reference cannot and does not anticipate the presently claimed inventions under 35 U.S.C. § 102 because the Sehr reference does not identically describe, either expressly or inherently, a data card comprising a low cost disposable material consisting of one of a paper sheet and a piece of card stock by a user by the printing of said data card.

Further, Applicants assert that, again at best, the Sehr reference merely states that a “smart card” that has a shape similar to a plastic card but having at least one silicon chip/integrated circuit embedded into the card package has “data stored into the card (not the material forming the card) includes the equivalent of an electronic ticket for a particular itinerary, use rights for a specific transportation carrier, considerations for travel-related services, electronic money for payment, or security information for protecting the card content and identifying the rightful card holder.” Applicants assert that, clearly, stored data in a smart card is not, either expressly or inherently, a data card consisting of one of paper and card stock, such as the presently claimed inventions of presently amended independent claims 1, 9, and 17. Applicants further assert that contrary to the Office Action, speculation as to whether or not the system for a travel itinerary in the Sehr reference may generate a paper print out is entirely speculation and cannot support a rejection of the presently claimed inventions of presently amended independent claims 1, 9, and 17 as there is neither an express description or an inherent suggestion for the same in the Sehr reference upon which to base a rejection under 35 U.S.C. § 102.

Yet additionally, Applicants assert that there is no description whatsoever in the Sehr reference for the elements of the presently claimed inventions of presently amended independent claims 1, 9, and 17 calling for “collecting statistical data of the location of the printer of said plurality of printers in said printing system used for printing said data.” The Sehr reference contains no such description, either expressly or inherently, whatsoever of

such elements of the presently claimed inventions of presently amended independent claims 1, 9, and 17.

Still yet further, Applicants request the citation of prior art to describe any such elements of the presently claimed inventions of presently amended independent claims 1, 9, and 17, rather than any speculation regarding any descriptions of the Sehr reference for any rejection under 35 U.S.C. § 102 regarding the presently claimed inventions..

Accordingly for the reasons herein, the Sehr reference cannot and does not anticipate the presently claimed inventions of presently amended independent claims 1, 9, and 17 as well as the dependent claims 3 through 8 and 11 through 18 therefrom. Therefore, claims 1, 3 through 9, and 11 through 19 are allowable.

35 U.S.C. § 103(a) Obviousness Rejections

Obviousness Rejection Based on Sehr (U.S. Patent 6,085,976) in view of Colgate, Jr. (U.S. Patent 5,786,587)

Claims 3 through 5, 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sehr (U.S. Patent 6,085,976) in view of Colgate, Jr. (U.S. Patent 5,786,587). Applicants respectfully traverse this rejection, as hereinafter set forth.

Applicants further assert that to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited prior art reference must teach or suggest all of the claim limitations. Furthermore, the suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicants' disclosure.

Again, turning to the cited prior art Sehr reference, taught or suggested therein is a passenger card 11 that includes "smart cards" that have a shape similar to plastic cards, but with at least one silicon chip/integrated circuit embedded into the card package. Such cards can further include PC (Personal Computer) card formats, handheld terminals or any pocket-sized computer configurations. The embedded circuits give the cards database storage means, processing and communications capabilities, or display means. The data stored in the smart

card includes the equivalent of an electronic ticket for a particular itinerary, use rights for a specific transportation carrier, considerations for travel-related services, electronic money for payment, or security information for protecting the card content and identifying the rightful card holder.

The cited prior art Colgate, Jr. reference teaches or suggests a card having a hologram having a holographically generated off-axis bar code invisible to the naked eye and readable by a machine reader that will not read an attempted simulation of a bar code in any other form.

After carefully considering the cited prior art, the rejections, and the Examiner's comments, Applicants have amended the claimed invention to clearly distinguish over the cited prior art.

Applicants assert that any combination of the Sehr reference and the Colgate, Jr. reference does not and cannot to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the presently claimed inventions of presently amended independent claims 1, 9, and 17 as well as the dependent claims therefrom because any combination of the Sehr reference and the Colgate, Jr. reference does not teach or suggest all of the claim limitations of the presently claimed inventions and does not contain any suggestion to make the claimed combination and the reasonable expectation of success for any such combination.

Applicants assert that any combination of the Sehr reference and the Colgate, Jr. reference fails to teach or suggest the claim limitations of the presently claimed inventions of presently amended independent claims 1, 9, and 17 calling for "receiving a data card comprising a low cost disposable material consisting of one of a paper sheet and a piece of card stock by a user by the printing of said data card at a first location using a first printer of said plurality of printers in a business system for facilitating the billing for printer consumables for use of said printer by a user of said printer, said data card including printed indicia descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said printed indicia comprising access credentials for access to said data", "reading said printed indicia to use said user information and data information to verify said access credentials at

any desired printer at any desired location of a printer of said plurality of printers in said printing system in a business environment”, “providing access to said data to said recipient in response to said access credentials that have been verified”, “printing said data using any desired printer of said plurality of printers in said printing system in a business environment at any second location in said network different than said first location in said network”, “collecting statistical data of the location of the printer of said plurality of printers in said printing system used for printing said data”, “providing a printed card comprising a low cost disposable material consisting of one of a paper sheet and a piece of card stock”, “reading indicia from the printed card descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said indicia comprising access credentials for access to said data”, “verifying said access credentials based on said indicia”, “providing access to data in response to said verification of said access credentials for access to said data”, “printing of said data at any printer located at a second location in said network different than said first location of said processor”, “collecting statistical data of the location of a printer of said plurality of printers in said printing system used for printing said data”, “receive a data card comprising a low cost disposable material consisting of one of a paper sheet and a piece of card stock, said data card including printed indicia descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said indicia comprising access credentials for access to said data”, “read said indicia to access said user information and data information for verifying said access credentials”, “provide access to said data on the basis of said verifying said access credentials”, “printing of said data at any printer located at a second location in said network different than said first location of said computer”, and “collecting statistical data of the location of the printer in said printing system used for printing said data.”

Again, Applicants assert that, at best, the Sehr reference teaches or suggests “smart cards” that have a shape similar to plastic cards, but having at least one silicon chip/integrated

circuit embedded into the card package. Such cards can further include PC (Personal Computer) card formats, handheld terminals or any pocket-sized computer configurations. The embedded circuits give the cards database storage means, processing and communications capabilities, or display means. Further, at best, the Colgate, Jr. reference teaches or suggests a card having a hologram having a holographically generated off-axis bar code invisible to the naked eye and readable by a machine reader that will not read an attempted simulation of a bar code in any other form.

Applicants presently claimed inventions have claim limitations of the inventions calling for “comprising a low cost disposable material consisting of one of a paper sheet and a piece of card stock by a user by the printing of said data card” Applicants presently claimed inventions do not and cannot include “at least one silicon chip/integrated circuit embedded into the card package.” Conversely, the Sehr reference only describes a card having at least one silicon chip/embedded integrated circuit of any type. Further, the Colgate, Jr. reference does not teach or suggest anything but a card having a hologram. Therefore, any combination of the Sehr reference and the Colgate, Jr. cannot and does not establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the presently claimed inventions because the Sehr reference does not teach or suggest a data card comprising a low cost disposable material consisting of one of a paper sheet and a piece of card stock by a user by the printing of said data card. Further, Applicants assert that, again at best, the Sehr reference merely states that a “smart card” that has a shape similar to a plastic card but having at least one silicon chip/integrated circuit embedded into the card package has “data stored into the card (not the material forming the card) includes the equivalent of an electronic ticket for a particular itinerary, use rights for a specific transportation carrier, considerations for travel-related services, electronic money for payment, or security information for protecting the card content and identifying the rightful card holder.” Applicants assert that, clearly, stored data in a smart card does not teach or suggest data card comprising a low cost material consisting of one of a paper sheet and a piece of card stock, such as the presently claimed inventions of presently amended independent claims 1, 9, and 17. Applicants further assert that contrary to the Office Action, speculation as to whether or not the system for a travel itinerary in the Sehr reference may generate a paper print out is entirely speculation and cannot support a rejection of the presently claimed inventions of presently amended independent claims 1, 9, and 17 as

such is neither a teaching or suggestion for the same in the Sehr reference and any combination therewith of the Colgate, Jr. reference upon which to base a rejection under 35 U.S.C. § 103 regarding the presently claimed inventions.

Additionally, Applicants assert that there is no description whatsoever in any combination of the Sehr reference and the Colgate, Jr. reference for the claim limitations of the presently claimed inventions of presently amended independent claims 1, 9, and 17 calling for “collecting statistical data of the location of the printer of said plurality of printers in said printing system used for printing said data.” Any combination of the Sehr reference and the Colgate, Jr. reference contains no teaching or suggestion whatsoever of such claim limitations of the presently claimed inventions of presently amended independent claims 1, 9, and 17.

Accordingly, any combination of the Sehr reference and the Colgate, Jr. reference cannot and does not establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the presently claimed inventions of presently amended 1, 9, and 17 as well as the dependent claims 3 through 8 and 11 through 18 therefrom.

In summary, Applicants submit that claims 1, 3 through 8, and 11 through 19 are clearly allowable over the cited prior art for the reasons set forth herein.

Applicants request the entry of this amendment for the following reasons:

The amendment places the application in condition for allowance.

The amendment is timely filed.

The amendment does not require any further search or consideration.

Applicants request the entry of this amendment, the allowance of claims 1, 3 through 8, and 11 through 19, and the case passed for issue.

Respectfully submitted,



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